

Message Text

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ACTION IO-10

INFO OCT-01 ISO-00 L-02 AF-06 ARA-06 EA-06 EUR-12 NEA-09

CIAE-00 INR-07 NSAE-00 SSO-00 INRE-00 /059 W

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O 121102Z FEB 75

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 0624

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E.O. 11652: N/A

TAGS: SHUM ECOSOC

SUBJECT: HUMAN RIGHTS COMMISSION - GENERAL STATEMENT ON
ECOSOC RESOLUTION 1503 PROCEDURES

1. AT TWO MEETINGS FEBURARY 12 HRC SCHEDULED TO
CONSIDER ITEM 6(B) RELATING TO THE REPORT OF THE AD HOC
WORKING GROUP OF EXPERTS. FOLLOWING THIS THE CHAIRMAN
HAS, IN RESPONSE TO REQUEST OF SEVERAL HRC MEMBERS,
SCHEDULED A GENERAL PRELIMINARY DEBATE ON ITEM 6(A).
GENERAL DEBATE INTENDED AS PUBLIC DISCUSSION OF ECOSOC
RESOLUTION 1503 PURPOSES AND PROCEDURES BEFORE CASES WILL
BE TAKEN UP IN PRIVATE SESSION AS PROVIDED RES. 1503.

2. US DEL HAS PREPARED FOLLOWING STATEMENT TO BE
DELIVERED IN GENERAL PUBLIC DEBATE. WE HOPE TO BE IN A
POSITION TO GIVE STATREMENAT A.M. MEETING FEBURARY 13.
WOULD APPRECIATE ANY DEPARTMENT COMMENTS BEFORE THAT
TIME. STATEMENT FOLLOWS:

QTE. MR. CHAIRMAN, MY DELEGATION HAS BEEN AMONG
THOSE THAT FAVORED A PRELIMINARY GENERAL DISCUSSION TO
BE HELD IN PUBLIC SESSION WITH RESPECT TO THE PROCEDURES
WHICH HAVE BEEN PROVIDED IN ECONOMIC AND SOCIAL COUNCIL
RESOLUTION 1503. WE THINK SUCH A GENERAL DISCUSSION
ABOUT THESE PROCEDURES, OMITTING OF COURSE ANY REFER-
ENCE TO THE PARTICULAR CASES TO BE CONSIDERED,
CAN BE USEFUL AS A WHOLE ABOUT THE WAY IN WHICH WE SHOULD
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PROCEED TO IMPLEMENT THEM.

MY DELEGATION BELIEVES THAT THE EXECUTIVE SESSIONS
WE ARE ABOUT TO EMBARK UPON MAY WELL CONSTITUTE A
LANDMARK IN THE HISTORY OF THE HUMAN RIGHTS COMMISSION.
PERHAPS THE GREATEST DIFFICULTY WHICH THE HUMAN
RIGHTS COMMISSION LABORS UNDER IN ITS DELICATE AND
DIFFICULT TASKS IS THE PROPENSITY OF SOVERIGN NATIONS
TO BE FULLY - IF NOT FURIOUSLY - AWARE OF THE SHORT-
COMING OF OTHER COUNTRIES RELATING TO HUMAN RIGHTS -
BUT TO REMAIN BLITHELY UNCONSCIOUS TO THEIR OWN
DELIQUENCIES. THERE SEEMS TO BE AN OVERWHELMING
TENDENCY BY MOST GOVERNMENTS TO EXPRESS CONCERN
ONLY WHEN HUMAN RIGHTS VIOLATIONS OCCUR ELSEWHERE-
AND TO INVOKE "DOMESTIC JURISDICTION" AS A BARRIER TO
EXAMINATION OF VIOLATIONS WITHIN THEIR OWN BOUNDARIES.
UNDER THE PROCEDURES LAID DOWN IN ECONOMIC AND
SOCIAL COUNCIL RESOLUTION 1503 (XLVIII) NATION STATES
WILL NOW HAVE THE OPPORTUNITY TO CAST THEIR GAZE
INWARDS - TO RECOGNIZE SUCH HUMAN RIGHTS VIOLATIONS
AS OCCUR ON A GROSS AND CONSISTENT BASIS WITHIN THEIR
OWN BOUNDARIES - AND TO ASCERTAIN THE DEGREE OF INTERNA-
TIONAL CONCERN WITH REGARD TO THESE MATTERS.
AND THIS INTERNATIONAL CONCERN IS JUSTIFIED. IT
IS JUSTIFIED IF THE EXISTENCE OF THE HUMAN RIGHTS
COMMISSION IS JUSTIFIED - OR THAT OF THE UNITED NATIONS
ITSELF. CLAIMS THAT ABASEMENT OF MAN, THE CRUELTIIES
OR OPPRESSIONS INFILCTED UPON HIM, ARE MATTERS
FOR INTERNAL CONCERN ONLY ARE NOT APPROPRIATE ON THE
PART OF NATIONS SUBSCRIBING TO THE UNITED NATIONS
CHARTER. AND THIS APPLIES TO OPPRESSIONS RANGING
FROM UNJUSTIFIED IMPRISONMENT AND RESTRICTIONS ON
FREEDOM OF SPEECH, OF MOVEMENT, OF IDEAS, ALL THE WAY
UP TO THAT MOST EGREGIOUS OF ALL VIOLATIONS - APARTHEID.
WHAT IS THE PURPOSE OF THE HUMAN RIGHTS COMMISSION IF
THIS IS NOT THE CASE?
UNDER THE 1503 PROCEDURES WE DO NOT SIT AS A COURT
TO PASS JUDGEMENTS ON GOVERNMENTS OR TO APPORTION BLAME.
OUR ROLE IS TO FIND THE BEST WAY TO HELP PROMOTE
AND PROTECT HUMAN RIGHTS. WE HOPE THAT THE ATTITUDE
BETWEEN THIS COMMISSION AND THE GOVERNMENTS INVOLVED
IN THE SEPARATE CASES WHICH WILL BE BEFORE US WILL BE
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ONE OF COOPERATIVE UNDERSTANDING, WITH A SHARED CONCERN
FOR THE GOOD OF THE HUMAN BEINGS INVOLVED, MOTIVATED
BY A COMMON DESIRE TO FIND A WAY TO IMPROVE SITUATIONS
WITH RESPECT TO WHICH THE EVIDENCE APPEARS TO REVEAL
"A CONSISTENT PATTERN OF GROSS AND RELIABLY ATTESTED
VIOLATIONS OF HUMAN RIGHTS."
LAST YEAR WE FOUND OURSELVES - WHEN WE SET OUT TO
IMPLEMENT 1503 - BESET BY TACTICS WHICH DELAYED - IN

MANY CASES I BELIEVE INTENTIONALLY, OUR PROCEEDINGS TO THE POINT WHERE TIME RAN OUT ON US. WE HAD NO CHANCE TO EXAMINE ANY INDIVIDUAL CASES. THE THRUST OF THESE TACTICS WAS TO SEEK TO REFINE, CLARIFY AND AMEND THE PROCEDURES HERE IN QUESTION BEFORE WE IMPLEMENTED THEM.

MR. CHAIRMAN, THIS COULD BE AN ENDLESS PROCESS. NO RULES, NO REGULATIONS CAN EVER BECOME COMPLETELY SATISFACTORY TO ALL MANKIND. ON OF THE MOST EFFECTIVE INSTRUMENTS OF GOVERNMENT THAT I KNOW OF, THE CONSTITUTION OF THE UNITED STATES, NOW ALMOST TWO HUNDRED YEARS OLD, STILL NEEDS AMENDMENT FROM TIME TO TIME - AND RECEIVES CONSTANT INTERPRETATION BY OUR SUPREME COURT.

MR. CHAIRMAN, THE ONLY WAY TO REFINE AND IMPROVE OUR 1503 PROCEDURES- OR FOR THAT MATTER ANY OTHER PROCEDURES - IS BY USING THEM. THEN OUT OF THE FIRES OF EXPERIENCE WILL COME PURIFICATION ACCCOMPANIED BY INCREASING EFFECTIVENESS.

AND ALSO MR. CHAIRMAN MY DELEGATION TRUSTS THAT WE WILL GO INTO THE FORTHCOMING EXECUTIVE SESSION PREPARED TO DEAL TWITH ALL DELIBERATE SPEED WITH THE INDIVIDUAL CASES THAT HAVE SO PAINSTAKINGLY BEEN PLACED BEFORE US BY OUR SUBCOMMISSION AND OUR WORKING GROUP - WHOSE LABORS DESERVE OUR MAXIMUM APPRECIATION. WE MUST TO THIS OBJECTIVELY AND WITHOUT REGARD TO POLITICAL OR OUTSIDE CONSIDERATIONS.

MR. CHAIRMAN, I RECENTLY READ AN ARTICLE WRITTEN BY A STAUNCH SUPPORTER- MIND YOU A SUPPORTER (UNDERSCORED) - OF THE UNITED NATIONS THAT STATED THAT THE MOST UNIVERSAL THING ABOUT THE UNIVERSAL DECLARATION OF HUMAN RIGHTS WAS THE UNIVERSAL YAWN IT PRODUCED. A SHOCKING STATEMENT. BUT EVEN MORE SHOCKING BECAUSE OF THE LIMITED OFFICIAL USE

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DEGREE TO WHICH IT MAY BE TRUE. MANY PEOPLE ALL OVER THE WORLD THINK THAT THE GLITTERING PRINCIPLES OF THE DECLARATION ARE JUST NOT ENFORCED - JUST NOT IMPLEMENTED - AND THEREFORE ARE DOOMED TO DIE ON THE VINE. THE 1503 PROCEDURES ARE THE MAJOR DEVICE WE CURRENTLY HAVE AT HAND TO RECTIFY THIS SITUATION - TO RESTORE FAITH IN THE HUMAN RIGHTS COMMISSION - AND TO PROMOTE THE RIGHTS AND DIGNITY OF MANKIND. I TRUST, MR. CHAIRMAN, THAT WE SHALL HAVE THIS IN MIND WHEN WE APPROACH OUR PROBLEMS IN OUR EXECUTIVE SESSIONS. END QUOTE. DALE

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, RESOLUTIONS, MEETINGS, MEETING PROCEEDINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 12 FEB 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975GENEVA00901
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750050-0920
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750251/aaaabtmn.tel
Line Count: 165
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION IO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 24 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <24 JUN 2003 by KelleyW0>; APPROVED <25 JUN 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: HUMAN RIGHTS COMMISSION - GENERAL STATEMENT ON ECOSOC RESOLUTION 1503 PROCEDURES
TAGS: SHUM, ECOSOC
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006